

**MINUTES OF THE PROCEEDINGS
OF THE PLANNING COMMISSION OF THE CITY OF JORDAN
IN THE COUNTY OF SCOTT
JUNE 12, 2018**

1.0 CALL TO ORDER

Present: Chair Sand, Commissioners Whipps, Will, Bohlman, Masloski
Also Present: City Planners Addison Lewis and Lucinda Meyers, Engineer Mike Waltman
Absent: Commissioners Walsh and Schultz

2.0 ADOPT AGENDA

3.0 APPROVAL OF MINUTES

A. May 8, 2018 Meeting Minutes

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Motion Whipps to approve minutes as presented, seconded by Bohlman. Vote all ayes. Motion passed.

4.0 NEW BUSINESS

A. PUBLIC HEARING: Variance Request – 113 Crestview Circle

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Planner Lewis presented the variance request to the commission. Storm sewer pipe located in easement where applicant is requesting variance to locate fence. Easement covers half of rear yard. Property owner was likely unaware of the existence of the easement prior to purchase of home.

Chair Sand opened the public hearing at 6:34, and closed the hearing at 6:35.

Commissioner Bohlman inquired whether surrounding properties are able to locate their fence within similar easements. Planner Lewis indicated that a code amendment would be necessary for that to occur. If other residential property owners wanted to construct their fence in a drainage and utility easement, they would be required to enter into an easement agreement with the city.

Chair Sand stated that the commission would establish a president with the approval of this variance.

Commissioner Whipps inquired upon the seven-foot distance specified in the variance. Engineer Waltman indicated that if ever there is a need to dig up the pipe, seven feet would be adequate and would likely not require removal of the fence.

Motion Whipps to recommend approval. Second Bohlman. Vote all ayes. Motion passed.

B. PUBLIC HEARING: Scott County CDA Rezoning, Comprehensive Plan Amendment and Zoning Code Amendment

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Planner Lewis presented the request to the commission. Rezoning a total of four (4) parcels from Highway Commercial (C-3) to High Density Residential (R-4). Rezoning requires a Comp Plan amendment and a Zoning Code amendment (in that order).

Chair Sand opened the public hearing at 6:52, and closed the hearing at 6:52.

Commissioner Masloski inquired upon that plan for the two of four lot that are not currently proposed for development. Planner Lewis indicated that there is no plan aside from rezoning them for the sake of consistency.

Commissioner Whipps inquired upon the amount of tax that is generated by similar properties, such as the Shule House prior to council. Commissioner Will inquired upon the amount of tax revenue Brentwood Court would generate if it were private instead of public. Planner Lewis stated that he would provide that information to the City Council during their next meeting.

Chair Sand inquired upon the number of people currently on the wait list for a unit in Brentwood. Steve Dunbar, Project Coordinator, Scott County CDA, indicated that there are currently twenty-five households on the waitlist. Dunbar indicated that it is a market rate independent living facility for seniors aged 55 and older. The goal is to expand into a campus and increase demand for the existing clinic and library.

Whipps asked Dunbar how the "no tax" piece is being received in other communities. Dunbar indicated that there is a pilot tax paid with Brentwood Court that constitutes a payment in lieu of taxes. Whipps requested additional information prior to the item being voted upon by the City Council.

Sand expressed support for the development generally and of senior housing units specifically, stating that seniors love Brentwood Court and its proximity to all of the nearby services and retailers.

Will asked what would happen if/when someone wants to build something that is consistent with C-3 zoning. Would they need to apply for a rezoning? Lewis indicated that is correct.

Motion by Whipps, second by Masloski to recommend approval of the Comp plan amendment to change land designation. Vote all ayes. Motion passed.

Motion Whipps second Bohlman to recommend approval of the rezoning of the subject properties from C-3 to R-4. Vote all ayes. Motion passed.

Whipps inquired whether can we wait on density until we know more about the proposal. Lewis indicated that in approving the density, the city gains flexibility moving forward.

Whipps inquired whether the units will count toward low income housing? Lewis stated that the number of affordable units the city is required to provide is accommodated through density. The city has already satisfied those minimums through our Comp Plan.

Motion Whipps second Masloski to recommend approval of the Text amendment to increase density. Vote all ayes. Motion passed.

C. PUBLIC HEARING: Senior Housing Parking Requirement Code Amendment

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Planner Lewis presented the amendment request to the commission to change the parking requirement for senior housing from 2 stalls to .2 stalls per unit.

Chair Sand opened the public hearing at 7:09, and closed the hearing at 6:10.

Lewis indicated that the current requirement of 2 stalls appears to have been a typo that occurred during recodification. Most area communities require .2 stalls per unit.

Motion Whipps, second Bohlman to recommend approval of the amendment to the parking stall requirement for senior housing.

D. Schrom Construction TIF Request

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Planner Lewis presented the item to the Council. The action requested is to comment and review the request for consistency with the comp plan.

Will asked Troy Schrom, Schrom Construction what the incentive is for building this type of unit. Schrom indicated that the units are in demand that there is a tool offered by the state to help with gap financing. Lewis added that it is a requirement for obtaining TIF (development of affordable housing units)

Whipps inquired whether there would be a park on site. Schrom stated that the proposal went before park board who provided feedback. Whipps expressed his thanks.

Motion Masloski, second Bohlman to recommend that the application is in line with the city's comp plan. Vote all ayes except for Will. Motion passed.

E. PUBLIC HEARING: Variance Request – 211 Jennifer Lane

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Planner Meyers provided overview of the request for a variance at 211 Jennifer Lane. Lot is 9147 sq. ft. zoned R-2. Applicant is requesting side yard setback to allow for a two-stall attached garage. Showed a map showing a number of properties in the neighborhood that do not comply with the setback requirement. Requirement is an 8-foot interior side yard setback. Applicant is proposing a 4-foot encroachment. Garage would be flush with the front of the building and would require removal some vegetation. Garage would be 26' x 20'7". The neighbor has provided a letter of support. There would still be a total of 22' between the two homes.

Meyers indicated that the Comp Plan encourages continued maintenance of existing neighborhoods and minimize the development of incompatible land uses adjacent to and traffic through residential land uses. Staff finds the variance criteria met. Staff has a list of recommended conditions for approval. One of the recommended conditions is that the applicant submit an as-built survey following construction to ensure it is no closer than 4' from the lot line.

Chair Sand opened public hearing. The applicant stated he did not have anything to add. Sand closed the public hearing.

Sand stated that things were not always constructed the best when this development was constructed.

Will added that there were 43 lots and 22 already don't meet the setback. These were all built as starter homes and then the thought was that people would upgrade to the next home and by allowing these variances, it removes that incentive to move up to the next house.

Sand asserted that there's a myth with the idea of a starter home. It may be your starter home but it may be your last home. You may want to stay there. We moved because there just wasn't enough room for our kids.

Will believes it causes a ripple effect and houses don't turn over and now we have a need for starter homes.

Bohlman stated that she understands the argument and believes that these new developments [Bridle Creek, Stonebridge] are not building starter homes.

Will stated the idea when these were built was that these would be starter homes and then people would go buy their next house. I'm not opposed to this variance but by continually improving it eliminates it as "starter housing". My point is more philisophical. I'll recommend approval.

Second Whipps. Vote all ayes. Motion Passed.

F. PUBLIC HEARING: 2040 Comprehensive Plan Update

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Planner Meyers stated that the Plan will be released to adjacent jurisdictions for 6 month review. Before we do that, we wanted to make time available here for the public to come provide any comments, in the form of a public hearing. Unfortunately, there are no members from the public present.

5.0 OLD BUSINESS

6.0 PLANNERS REPORT

A. General Updates

Planner Meyers indicated that applications have been submitted from Schrom Construction for the development of Wexford Square Outlot C.

Lewis added that a total of four building permits have been issued for model homes in Bridle Creek.

Engineer Waltman provided an update on construction in Stonebridge and Bridle Creek.

B. Next Meeting- July 10, 2018

7.0 CITY COUNCIL MEMBER UPDATE

Councilor Will - We received complaints regarding construction start times and noise. Our thought is that we can address it just for developers and builders and not for individual residents. There was also a gentleman that said he came in, and said his neighbor installed a fence across his property line. The person applied for a permit, had a survey. It becomes a neighborly dispute. Third, I previously brought up the alteration of the valuation on building permits. The inspector gets paid based off a percentage of the building. I'm wondering if that is true. I think they get paid a percentage of the valuation. He asked if staff can look into that.

Councilor Whipps - we adopted rules for council procedure. I believe we approved a new truck for the fire department. Otherwise, we've had some light city council meetings.

8.0 COMMISSION MEMBER REPORT

9.0 ADJOURNMENT

Motion Bohlman to adjourn, Second by Whipps. Vote all ayes. Motion passed. Meeting adjourned at 7:50pm.

Tanya Velishek, Mayor

ATTEST:

Tom Nikunen
City Administrator